

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

THE ESTATE OF MICHAEL OSTBY, BY )	
AND THROUGH THE COURT )	
APPOINTED PERSONAL )	Cause No. 17-CV-124-BLG-
REPRESENTATIVES, AND NICOLE )	SPW-TJC
HALE, JOE OSTBY AND CASSANDRA )	
OSTBY, INDIVIDUALLY, )	
)	
Plaintiffs, )	JOINT DISCOVERY PLAN
)	
vs. )	
)	
YELLOWSTONE COUNTY and JOHN )	
DOES 1 THROUGH 10, )	
)	
Defendants. )	

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COME NOW the parties pursuant to the Court's Order Vacating Scheduling Order and Setting Scheduling Conference dated September 5, 2018, and submit the following Joint Discovery Plan:

1. The parties have made timely Rule 26(a) disclosures and responded to written discovery.
2. Depositions have been completed of most all the parties' identified

witnesses.

3. Plaintiffs' submit that their and Defendant's liability expert witnesses should be disclosed by November 1, 2018, and Defendant's damages expert witness should be disclosed by December 3, 2018. Rebuttal experts should be disclosed thirty day after the opposing party's disclosures. Defendant requests sixty additional days, or by January 4, 2019 to identify liability experts.

4. The parties submit that discovery should be closed thirty days after the rebuttal experts are disclosed.

5. Substantive motions should be filed by the close of discovery.

6. Perpetuation depositions should be scheduled before the close of discovery.

7. Mediation should occur within sixty days.

8. The case will be ready for trial after the close of discovery.

DATED this 12<sup>th</sup> day of October 2018.

MOYERS LAW P.C.

By: s/s Jon M. Moyers  
Jon M. Moyers  
Attorneys for Plaintiffs

YELLOWSTONE COUNTY ATTORNEY

By:           s/s *Levi Robison*          

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